identifying data deleted to prevent clearly unwarranted invasion of personal privacy

PUBLIC COPY

U.S. Department of Homeland Security
U.S. Citizenship and Immigration Services
Administrative Appeals Office (AAO)
20 Massachusetts Ave., N.W., MS 2090
Washington, DC 20529-2090

U.S. Citizenship and Immigration Services

B5

[redacted]

Date: FEB 07 2012 Office: TEXAS SERVICE CENTER [redacted]

IN RE: Petitioner: [redacted]
Beneficiary:

PETITION: Immigrant Petition for Alien Worker as a Member of the Professions Holding an Advanced Degree or an Alien of Exceptional Ability Pursuant to Section 203(b)(2) of the Immigration and Nationality Act, 8 U.S.C. § 1153(b)(2)

ON BEHALF OF PETITIONER:

SELF REPRESENTED

INSTRUCTIONS:

Enclosed please find the decision of the Administrative Appeals Office in your case. All of the documents related to this matter have been returned to the office that originally decided your case. Please be advised that any further inquiry that you might have concerning your case must be made to that office.

If you believe the law was inappropriately applied by us in reaching our decision, or you have additional information that you wish to have considered, you may file a motion to reconsider or a motion to reopen. The specific requirements for filing such a request can be found at 8 C.F.R. § 103.5. All motions must be submitted to the office that originally decided your case by filing a Form I-290B, Notice of Appeal or Motion, with a fee of $630. Please be aware that 8 C.F.R. § 103.5(a)(1)(i) requires that any motion must be filed within 30 days of the decision that the motion seeks to reconsider or reopen.

Thank you,

Perry Rhew
Chief, Administrative Appeals Office

DISCUSSION: The employment-based immigrant visa petition was denied by the Director, Texas Service Center, and is now before the Administrative Appeals Office (AAO) on appeal. The appeal will be summarily dismissed.

The petitioner claims to be a medical billing and consulting company. It seeks to employ the beneficiary permanently in the United States as a computer support specialist. The director determined that the petitioner did not submit the documents requested in the director's Notice of Intent to Deny (NOID) issued on March 13, 2008. The director denied the petition accordingly.

In pertinent part, section 203(b)(2) of the Immigration and Nationality Act (the Act), 8 U.S.C. § 1153(b)(2), provides immigrant classification to members of the professions holding advanced degrees or their equivalent and whose services are sought by an employer in the United States.

On appeal, the petitioner merely stated that it did not receive "a letter that requested any information from the company."

As stated in 8 C.F.R. § 103.3(a)(1)(v), an appeal shall be summarily dismissed if the party concerned fails to identify specifically any erroneous conclusion of law or statement of fact for the appeal.

Here, the petitioner has not specifically addressed the reasons stated for denial and has not provided any additional evidence. The petitioner has not even expressed disagreement with the director's decision. It is noted that, according to the director's November 4, 2009 decision, the petitioner did provide a partial response to his March 13, 2008 NOID. The appeal must therefore be summarily dismissed.[1]

ORDER: The appeal is dismissed.

[1] Even if this appeal were not being summarily dismissed for the above stated reason, the AAO would have dismissed the appeal based on the petitioner's dissolution dated April 27, 2011. *See* http://www.dos.ny.gov/corps/bus_entity_searches.html. As the petition's approval would be subject to automatic revocation due to the termination of the petitioner's business, the appeal to the AAO is moot. 8 C.F.R. § 205.1(2)(iii)(D).